

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GERALD CORNELIUS ELDRIDGE,

Petitioner,

v.

CIVIL NO. H-05-1847

RICK THALER, Director,
Texas Department of Criminal
Justice-Correctional Institutions
Division,

Respondent.

ORDER GRANTING PETITIONER'S MOTION FOR EXTENSION OF TIME

The petitioner, Gerald Cornelius Eldridge, a Texas death row inmate, asserts that he is incompetent to be executed. He has moved for an extension of time in which to file his amended petition for a writ of habeas corpus. Eldridge cites the need to obtain expert assistance in assessing recently disclosed evidence of a diagnosis of pernicious anemia.

The nature of the evidence and the need for expert assistance in analyzing it justify the additional time sought. The amount of additional time is reasonable. The petitioner's request will be granted and a new schedule entered. Counsel are cautioned, however, that no further continuances will be granted.

The petitioner's Motion For Extension (Docket Entry 113) is granted. The amended schedule is as follows:

1. Eldridge's amended petition and expert reports are due by July 12, 2010;
2. Thaler's expert reports are due by August 12, 2010;

3. Thaler's response to the amended petition is due by August 23, 2010;
4. A status conference will take place on August 26, 2010, at 10:00 a.m.
5. Eldridge's reply to Thaler's response is due by September 7, 2010;
6. Both parties' *Daubert* challenges are due by September 16, 2010;
7. Responses to *Daubert* challenges are due by September 30, 2010;
8. Exhibit and witness lists are due by October 1, 2010;
9. Briefing on the applicable legal standards is due by October 6, 2010; and
10. An evidentiary hearing will take place on October 13-15, 2010, at 9:00 a.m.

SIGNED on May 25, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge